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OFFICE OF PETITIONS

In re Application of :
Wolfram Lutke et al. :
Application No. 09/942,561 :
Filed: August 31, 2001 :
Attorney Docket No. ORT 1559 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed November 7, 2003, to revive the above-identified application.

The petition is GRANTED.

This application became abandoned for failure to reply in a timely manner in reply to the Notice to File Missing Parts of Application (Notice) mailed October 3, 2001, which set a shortened statutory period for reply of Two (2) months from the mail date of the Notice. Accordingly, the application became abandoned on December 4, 2001.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is not a correct interpretation of the statement contained in the instant petition.

The application file is being forwarded to the Office of Initial Patent Examination Division for further processing.

Telephone inquiries regarding this decision may be directed to the undersigned at (703) 308-6911.

Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy